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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/402,820	10/12/1999	DANIEL G. CHAIN	CHAIN=1B	6495

7590

07/02/2002

EITAN, PEARL, LATZER AND COHEN-ZEDEK  
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ARLINGTON, VA 22202-3709

EXAMINER

DUFFY, PATRICIA ANN

ART UNIT

PAPER NUMBER

1645

DATE MAILED: 07/02/2002

18

Please find below and/or attached an Office communication concerning this application or proceeding.

FILE  
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DEA/FCE-1994

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Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

1. Applicants have filed a paper in the above referenced application that is a communication in response to a restriction requirement dated May 21, 2002. However, no communication from the office has been mailed in this application on that date. Further, the response is improper because it changes the elected invention for which applicants have already received on the merits. Change of the invention mid-prosecution is not permitted at this juncture. If applicants wish to select a different invention for prosecution in this application, the response and switch of inventions should be accompanied by a request for a continuing prosecution application ("CPA"), cancellation of the protein claims and introduction of new claims drawn to the DNA of Group I as previously set forth in the restriction requirement of 02-14-01. If this paper has been filed in error, Applicant should clarify for the record the invention which they want to prosecute and Petition to expunge the paper filed June 21, 2002.

2. Any inquiry of a general nature or relating to the status of this general application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Papers relating to this application may be submitted to Technology Center 1600, Group 1640 by facsimile transmission. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). Should applicant wish to FAX a response, the current FAX number for Group 1600 is (703) 308-4242.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia A. Duffy, Ph.D. whose telephone number is (703) 305-7555. The examiner can normally be reached on Monday-Friday from 6:30 AM to 3:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynette Smith, can be reached at (703) 308-3909.

Patricia A. Duffy, Ph.D.  
June 28, 2002

*Pat A. Duffy*  
Patricia A. Duffy, Ph.D.  
Primary Examiner  
Group 1600